

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Dartton A. Drogin,

NO. C 09-01368 JW

Plaintiff,

**ORDER OF DISMISSAL**

v.

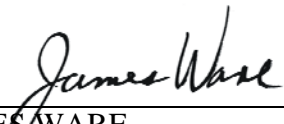
Yahoo,

Defendant.

On March 26, 2009, Plaintiff filed this action. (See Docket Item No. 1.) On June 5, 2009, the Court granted Plaintiff's request to proceed *in forma pauperis* and in the same Order, dismissed Plaintiff's Complaint. (See Docket Item No. 6.) The Court granted Plaintiff leave to amend, and ordered him to file an amended Complaint on or before June 25, 2009. (Id.) On July 1, 2009, after Plaintiff failed to file an amended complaint, the Court ordered Plaintiff to appear on July 13, 2009 to show cause why this case should not be dismissed for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). (See Docket Item No. 7.) The Court gave Plaintiff until July 9, 2009 to file a certification explaining why this case should not be dismissed. (Id.) To date, Plaintiff has not filed such a certificate.

On July 13, 2009, the Court conducted a hearing on its order to show cause. Plaintiff failed to attend the hearing. Accordingly, Plaintiff's action is DISMISSED pursuant to Fed. R. Civ. P. 41(b). The Clerk shall close this file.

Dated: July 13, 2009

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

**United States District Court**

For the Northern District of California

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

Dartton A Drogin  
34 Pheasant Ridge Drive  
Londonville, NY 12211

**Dated: July 13, 2009**

**Richard W. Wieking, Clerk**

**By: /s/ JW Chambers**  
**Elizabeth Garcia**  
**Courtroom Deputy**